

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

RICHARD KIRKLEWSKI,

Plaintiff,

vs.

JOSEPH HALMARTIN HAMILTON,
et al.,

Defendants.

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Case No. 3:07cv193

JUDGE WALTER HERBERT RICE

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE ON MOTION TO
APPEAL *IN FORMA PAUPERIS* (DOC. #13) AND OVERRULING
PLAINTIFF'S OBJECTIONS TO SAID JUDICIAL FILING (DOC. #14);
MOTION TO APPEAL *IN FORMA PAUPERIS* DENIED

Based upon the reasoning and citations of authority set forth by the United States Magistrate Judge, in his Report and Recommendations on Motion to Appeal *in Forma Pauperis* (Doc. #13), as well as upon a thorough *de novo* review of this Court's file, this Court adopts the Report and Recommendations of the United States Magistrate Judge, thus denying Plaintiff's Application to Proceed on Appeal *In Forma Pauperis*. Plaintiff's Objections to said judicial filing (Doc. #14) are overruled.

For the benefit of the appellate court, this Court notes that the Plaintiff's filings at Docs. #15 and #16 were overruled by the United States Magistrate Judge, by Notation Order, on March 13, 2008.

/s/ Walter Herbert Rice

March 28, 2008

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Richard Kirklewski, Pro Se
and
Any Counsel of Record